

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
Greensboro Division

**Lloyd Bell, individually and as §
Executor of the Estate of Betty §
Whitney Bell, Deceased, §
§
Plaintiff, § Case No. 1:17-cv-111-WO-JEP
§
v. §
§
American International §
Industries, §
§
Defendants. §**

**DEFENDANT AMERICAN INTERNATIONAL INDUSTRIES' MOTION
TO VACATE THE PRELIMINARY PROTECTIVE ORDER
OF SEPTEMBER 25, 2020**

Defendant American International Industries (“AII”) moves the Court to vacate its preliminary protective order, entered orally by the Court on September 25, 2020 (ECF 274-8, Hr’g Tr.), which precludes defendants from using the single, five-page document produced by non-party Northwell Health, Inc. (ECF No. 331-17.) That document identifies Decedent Betty Bell, and only Ms. Bell, as one of the 33 plaintiffs included in Dr. Jacqueline Moline, M.D.’s article. (ECF No. 274-1, “Mesothelioma Associated with the Use of Cosmetic Talc” (2020).) In connection with this Motion, AII has concurrently filed its Brief in support of the Motion.

Respectfully submitted this 29th day of September, 2021.

/s/ Robert E. Thackston

Robert E. Thackston, NC Bar No. 36330
Kurt W. Greve, TX Bar No. 24007275
LATHROP GPM, LLP
2101 Cedar Springs Rd., Suite 1400
Dallas, TX 75201-2134
Telephone: (469) 983-6023
Facsimile: (469) 983-6101
Email: robert.thackston@lathropgpm.com
kurt.greve@lathropgpm.com

/s/ Timothy Peck

Timothy Peck, NC Bar No. 9991
Richard A. Coughlin, NC Bar No. 19894
FOX ROTHSCHILD LLP
230 North Elm Street, Suite 1200
Greensboro, NC 27401
Telephone: (336) 378-5307
Fax: (336) 378-5400
E-mail: tpeck@foxrothschild.com
rcoughlin@foxrothschild.com

Counsel for Defendant American International Industries

CERTIFICATE OF SERVICE

The undersigned hereby certifies that I electronically filed the foregoing document with the Clerk of the United States District Court for the Middle District of North Carolina using the CM/ECF system, which will send notification of this filing and an electronic copy of same to all counsel of record registered with the CM/ECF system, and I hereby certify that I have thereby electronically served the document upon all counsel in this action registered with the CM/ECF system.

This 29th day of September, 2021.

/s/ Timothy Peck

Timothy Peck, NC Bar No. 9991
FOX ROTHSCHILD LLP